

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

PATRICIA D. MATTERN,

Plaintiff,

vs.

MICHAEL J. ASTRUE,

Commissioner of Social Security,

Defendant.

Case No. 1:09CV113 CDP

MEMORANDUM AND ORDER

Plaintiff Patricia Mattern moves for an award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, seeking fees in the amount of \$3633.50. Plaintiff also requests that this fee be made payable directly to her attorney, Timothy M. White, at his address, 7906 East 55th Street, Tulsa, Oklahoma 74145. Defendant does not object.


On March 8, 2010, I remanded this case to defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A claimant seeking judicial review of a final decision denying Social Security benefits may recover attorney's fees if she receives a sentence-four remand. *See Schalala v. Schaefer*, 509 U.S. 292, 295-96 (1993). Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees, I find she is entitled to an award in the amount requested of \$3633.50. Additionally, I determine that these fees should be

made payable directly to her counsel, Timothy M. White. *See Ratliff v. Astrue*, 540 F.3d 800, 802 (8th Cir. 2008).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for attorney's fees [#21] is granted.

IT IS FURTHER ORDERED that defendant pay plaintiff's attorney's fees in the amount of \$3633.50 to counsel Timothy M. White, 7906 East 55th Street, Tulsa, Oklahoma 74145.

A handwritten signature in cursive script, reading "Catherine D. Perry".

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 13th day of April, 2010.